

REMARKS

This Application has been carefully reviewed in light of the Final Office Action mailed August 11, 2005. The Office Action rejects all of the pending claims, Claims 1-4, 6-16, 18-46, and 48-51, under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,389,130 issued to Shenoda et al. ("Shenoda") in view of U.S. Patent No. 6,144,727 issued to Mashinsky ("Mashinsky"). For the reasons given below, Applicants believe all claims to be allowable over the cited references. Therefore, Applicants respectfully request reconsideration and full allowance of all pending claims.

Independent Claims 1, 13, 33, and 44 are Allowable over Shenoda and Mashinsky

Claim 1 of the Application recites the following:

A method for call routing, comprising:
receiving a call request at a first call manager from a first telephony device coupled to a packet-based network, the call request including a telephone number associated with a second telephony device;
accessing a route list associated with the telephone number to determine a port of a gateway device operable to transmit the call request to the second telephony device, wherein the route list comprises one or more route groups, each route group including a list of one or more ports of one or more gateway devices; and
communicating the call request to a second call manager controlling the gateway device included in the route list.

Independent Claims 13, 33, and 44 recite similar, although not identical, limitations.

The Office Action asserts that *Mashinsky* discloses a "route list [that] comprises one or more route groups, each route group including a list of one or more ports of one or more gateway devices." The Examiner cites to Figure 1A, Figure 13, Column 21 lines 50-65, Column 22, lines 56-66, and Columns 25-26 lines 66-5 of *Mashinsky* to support the rejection with respect to this limitation. In the Response to Arguments section of the Final Office Action, the Examiner specifies that the disclosed route groups are "e.g. original network route or global network route." Applicants respectfully submit that these passages do not include any disclosure that is related to route lists, much less a route list that comprises *one or more route groups, each route group including a list of one or more ports of one or more*

gateway devices, as recited in Claim 1 (and similarly, although not identically, in Claims 13, 33, and 44). The cited portions of *Mashinsky* simply indicate that the originating gateway switch determines whether the called location is accessible via the global network. There is no disclosure that the originating gateway (or any other device) accesses any type of route list, much less a route list that includes even one route group, which in turn includes even one port of a gateway device. The Examiner seems to be indicating that the “original network route” and “global network route” are route groups as claimed. These are not route groups as claimed, they are merely routes through the network. They are not included in a route list and they do not include one or more ports of gateway devices (they are physical routes – how can they be included in a list or include a list of ports?). The claims do not recite a choice between two routes. They clearly require that a route *list* be accessed. The Examiner has not shown how any of the cited references disclose accessing such a route list. For at least this reason, Applicants respectfully request that reconsideration and allowance of Claims 1, 13, 33, and 44.

Moreover, as previously pointed out by Applicants, the Final Office Action also rejects Claims 12, 34, and 38 using the same arguments as those for Claims 1, 13, 33, and 44 (at least they are rejected in the same paragraph of the Office Action). However, Claims 12 and 38 depend from Claims 10 and 37, respectively, which are rejected based on arguments in other paragraphs of the Office Action. Applicants assume for the purposes of this Response that these claim rejections should go along with their respective parent claims, but request clarification from the Examiner since this rejection remains unchanged. Furthermore, Claim 34 recites limitations that are similar to those of Claims 3, 15, and 45. Thus, Applicants assume for the purposes of this Response that this claim is rejected for the same reason as these related claims (which are addressed in Paragraph 6 of the Office Action), but request clarification from the Examiner since this rejection remains unchanged. These claims are addressed together below.

The Dependent Claims are Also Allowable over *Shenoda* and *Mashinsky*

Dependent Claims 2-4, 6-12, 14-16, 18-32, 34-43, 45-56, and 48-51 depend from, and incorporate all of the limitations of independent claims 1, 13, 33, or 44, which are allowable for the reasons discussed above. Therefore, dependent Claims 2-4, 6-12, 14-16, 18-32, 34-43, 45-56, and 48-51 are allowable as they depend from allowable base claims. In addition to their dependence on allowable base claims, at least dependent Claims 3-4, 11, 15-16, 18, 23-24, 26, 34-35, 37, 45-46, and 48 are also allowable because they each contain additional limitations not disclosed in *Shenoda* or *Mashinsky*, as described below.

Claims 3, 15, 34, and 45 are Allowable over *Shenoda* and *Mashinsky*

The Examiner asserts that *Mashinsky* discloses the limitation of Claim 3 that recites "accessing a registration information table to determine a process identification (PID) of a route list control process." Claims 15, 34, and 45 recite similar, although not identical, limitations. The Examiner cites to "originating toll switch 14" and Columns 20-21, lines 61-19 of *Mashinsky* to support the rejection with respect to this limitation. However, Applicants respectfully submit that this passage does not include any disclosure that is related to a registration information table, a PID, or a route list control process. It is unclear to Applicants how and why the Examiner is using *Mashinsky* to disclose this limitation and the Examiner has not addressed these claims in the Response to Arguments section of the Final Office Action. For at least this additional reason, Applicants respectfully request reconsideration and allowance of Claims 3, 15, 34, and 45.

Claims 4, 16, 35, and 46 are Allowable over *Shenoda* and *Mashinsky*

Claim 4 recites, in part, accessing a route list to obtain the device name and a port number of the gateway device. Claims 16, 35, and 46 recite similar, although not identical, limitations. In the Response to Arguments section, the Examiner asserts that *Mashinsky* discloses this limitation in that it teaches obtaining a gateway address and a port number of a gateway device. However, the gateway address is not a device name. Furthermore, there is no disclosure that any of this information is obtained from a route list (which, as described

above, includes one or more route groups). *Mashinsky* only discloses receiving “instructions from node 44.” This is not a disclosure of the limitations recited in Claims 4, 16, 35, and 46. For at least this additional reason, Applicants respectfully request reconsideration and allowance of Claims 4, 16, 35, and 46.

Claims 6, 11, 18, 37, and 48 are Allowable over *Shenoda* and *Mashinsky*

Claim 6 recites, in part, accessing a device name mapping table using the device manager to determine a PID of a first device process executed by the second call manager and controlling the gateway device. Claims 11, 18, 37, and 48 recite similar, although not identical, limitations.¹ The Examiner asserts that *Mashinsky* discloses the above limitation at Column 7, lines 11-21, Columns 7-8, line 38-4, Column 21, lines 50-65, Column 22, lines 56-66, and Columns 25-26, lines 66-5. Furthermore, the Examiner appears to assert that *Mashinsky* discloses the device name mapping table as a topology map or template. However, these passages simply are not related to this limitation and the topology map or template is not a device name mapping table as claimed. *Mashinsky* fails to disclose any device mapping table, let alone accessing the device mapping table to determine a process identification of a first device process executed by a second call manager, as recited in Claim 6, and similarly, although not identically, in Claims 11, 18, 37, and 48. For at least this additional reason, Applicants respectfully request reconsideration and allowance of Claims 6, 11, 18, 37, and 48.

Claim 23 is Allowable over *Shenoda* and *Mashinsky*

Claim 23 recites, in part, a device manager operable to receive a signal indicating that a new gateway device has registered with the call manager. The Examiner rejects Claim 23 in the same paragraph in which Claims 6, 11, 18, 37, and 48 are rejected. However, the

¹ The Final Office Action rejects Claim 11 in Paragraph 6. However, as Applicants previously pointed out to the Examiner, Claim 11 contains similar limitations to Claims 6, 18, 37, and 48, which are rejected in Paragraph 8. Therefore, Applicants assume for the purposes of this Response that Claim 11 is rejected under the same reasoning as Claims 6, 18, 37, and 48, but request clarification from the Examiner since this rejection remains unchanged.

Examiner does not mention any portion of *Mashinsky* that the Examiner asserts as containing a disclosure of a device manager operable to receive a signal indicating that a new gateway device has registered with the call manager (and the Examiner does not address this limitation in the Response to Arguments section). The cited passages do not relate to this limitation. For at least this additional reason, Applicants respectfully request reconsideration and allowance of Claim 23.

Claim 24 is Allowable over *Shenoda* and *Mashinsky*

Claim 24 of the present invention recites:

The call manager of Claim 18, wherein the device manager is further operable to:

receive a signal indicating that a gateway device is no longer under the control of the call manager;

delete the device name and associated PID of the gateway device from the device name mapping table; and

communicate a deletion signal to the second call manager coupled to the packet-based network indicating that the device name and associated PID should be deleted from a device name mapping table of the second call manager.

The Examiner rejects Claim 24 in the same paragraph in which Claims 6, 11, 18, 37, and 48 are rejected. However, the Examiner does not mention any portion of *Mashinsky* that the Examiner asserts as containing a disclosure of the above limitations (and the Examiner does not address these limitations in the Response to Arguments section). The cited passages do not relate to the limitations quoted above. For at least these additional reasons, Claim Applicants respectfully request reconsideration and allowance of Claim 24.

Claim 25 is Allowable over *Shenoda* and *Mashinsky*

Claim 25 recites, in part, a device manager operable to receive a signal indicating that a third call manager has come on-line in the packet-based network. In the Response to Arguments section of the Final Office Action, the Examiner states that *Mashinsky* teaches this limitation at Column 21, lines 20-42 and Columns 22-23, lines 60-16. In particular, the Examiner refers to the disclosure of SS7 signaling information. However, there is nothing in

these passages that teaches any sort of signaling indicating a call manager has come on-line, and the Examiner has not explained how SS7 signaling discloses this limitation. For at least this additional reason, Applicants respectfully request reconsideration and allowance of Claim 25.

Claim 26 is Allowable over Shenoda and Mashinsky

Claim 26 recites a device manager operable to receive a signal indicating that the second call manager has gone off-line and delete the device name and associated PID of the gateway devices controlled by the second call manager. In the Response to Arguments section of the Final Office Action, the Examiner states that *Mashinsky* teaches these limitations at Columns 21-22, lines 58-18. Applicants fail to see how this passage relates at all to the recited limitations and the Examiner has not clarified its application in the Final Office Action. For at least this additional reason, Applicants respectfully request reconsideration and allowance of Claim 26.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully requests full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Brian W. Oaks, Attorney for Applicants, at the Examiner's convenience at (214) 953-6986.

Although no fees are believed to be due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,
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